

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Jeffery Lee Hamm

Docket No. 5:04-CR-127-1FL

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jeffery Lee Hamm, who, upon an earlier plea of guilty to Armed Bank Robbery and Use and Carry a Firearm in Relation to a Crime of Violence, 18 U.S.C. §§ 2113(a) and (d) and 924(c), was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on November 18, 2004, to the custody of the Bureau of Prisons for a term of 97 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall submit to financial or consumer credit counseling as directed by the probation office.
4. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Jeffery Lee Hamm was released from custody on April 15, 2011, at which time the term of supervised release commenced.

On October 20, 2011, the court was notified that the defendant received a Driving While License Revoked charge in Wake County, North Carolina on October 7, 2011. To address his non-compliance, the probation office requested that he be allowed to participate in cognitive behavioral therapy program to help change his thinking and behaviors. The court concurred. On April 19, 2012, Mr. Hamm graduated from Moral Reconciliation Therapy (MRT).

Jeffery Lee Hamm
Docket No. 5:04-CR-127-1FL
Petition For Action
Page 2

On August 30, 2013, the court was notified that the defendant received a Driving While License Revoked charge in Wake County, North Carolina on August 6, 2013. He was verbally reprimanded for his actions and was instructed not to operate another motor vehicle until properly licensed. To address this new violation, the probation office requested that he be required to complete 24 hours of community service. The court concurred. On October 16, 2013, Mr. Hamm completed his 24 hours of community service.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Mr. Hamm was cited on December 5, 2013, in Wake County, North Carolina with Driving While License Revoked. Again, he was verbally reprimanded for his actions and was instructed not to operate another motor vehicle until properly licensed. This charge remains pending and is scheduled for court on January 6, 2014. To address this new violation, the probation office recommends that he be required to complete up to 60 days of home detention to be supported by electronic monitoring. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 60 consecutive days. The defendant shall be restricted to residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

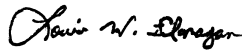
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Maurice J. Foy
Maurice J. Foy
Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: December 19, 2013

Jeffery Lee Hamm
Docket No. 5:04-CR-127-1FL
Petition For Action
Page 3

ORDER OF COURT

Considered and ordered this 20th day of December, 2013, and ordered filed and made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge